

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Thomas J. Willi, Town Administrator/954-797-1030

PREPARED BY: Russell C. Muniz, CMC, Town Clerk

SUBJECT: Resolution

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE AMENDMENT OF THE RECORD TO REFLECT THE INTENT OF COUNCILMEMBER HUBERT'S VOTE ON LAND USE PLAN AMENDMENT APPLICATION LA 03-07 HEARD BY THE TOWN COUNCIL ON MARCH 17, 2004; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: On March 17, 2004, Land Use Plan Amendment application LA 03-07 was heard by the Davie Town Council. After an exhaustive public hearing, a motion to deny the amendment was made. After stating several of her objections to the project as presented, Councilmember Hubert stated "No" when the roll call was taken. Due to the complexity of the issue and the way the motion was phrased, in addition to the late hour at which the vote was taken, Councilmember Hubert inadvertently voted against the motion to deny when in actuality she intended her "No" vote to mean that she was not in favor of the project as presented.

PREVIOUS ACTIONS: N/A

CONCURRENCES: N/A

FISCAL IMPACT: N/A

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): N/A

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE AMENDMENT OF THE RECORD TO REFLECT THE INTENT OF COUNCILMEMBER HUBERT'S VOTE ON LAND USE PLAN AMENDMENT APPLICATION LA 03-07 HEARD BY THE TOWN COUNCIL ON MARCH 17, 2004; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council deliberated on Land Use Plan Amendment application LA 03-07 on March 17, 2004; and

WHEREAS, after an exhaustive public hearing that lasted several hours, a motion to deny the amendment was voted on by the Town Council; and

WHEREAS, after stating several of her objections to the project as presented, Councilmember Hubert cast a "No" vote intending to signify her opposition to the proposed amendment; and

WHEREAS, Roberts of Rules of Order provides for the amendment of a members vote so long as unanimous consent of the assembly is granted without debate; and

WHEREAS, Councilmember Hubert desires to amend the record, which currently indicates that she was not in favor of the motion to deny, to reflect her approval of the motion to deny.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town of Davie unanimously grants their consent to allow the record of March 17, 2004 to be amended to indicate that Councilmember Hubert voted to approve the motion to deny Land Use Plan Amendment LA 03-07.

SECTION 2. The Town Clerk is hereby directed to amend the record accordingly.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004.